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ABSTRACT

Considerable confusion exists over male/female relationships in the work place, especially in such male-dominated professions as law enforcement. The laws governing sexual harassment offer unclear guidelines regarding the definition of harm that results from such harassment. This paper addresses the special problems of sexual harassment in the police officer's world. Police work in a hostile environment and the pairing of male and female officers in this stressful setting creates problems. Women officers still find themselves pressured to conform to traditional male perspectives and expectations and many women are assigned to less dangerous positions in their departments. Likewise, the police officer's subculture consists of a kind of brotherhood where officer's constantly support each other so as to thwart danger and to shield behavior from public scrutiny. Although police cadets receive training in sexual harassment, they find on entering the force that veterans disparage such training and rookies are pressured to adopt the unwritten codes of the profession, especially the code of listen and do not speak. If a woman officer does file a harassment charge, she many times must fight this ubiquitous silence and complicity. Psychologists should recognize the many problems inherent in the law enforcement lifestyle, work to educate supervisors, and advocate for victims. (RJM)

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Sexual Harassment in the Law Enforcement Workplace

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Public attention was focused on the issue of sexual harassment during the confirmation hearings of Judge Clarence Thomas. This new sensitivity permeated the fabric of American culture and raised many questions about how men and women work together. Considerable confusion exists regarding basic male/female relationships in the workplace, especially in such male-dominated professions, as law enforcement and the military.

Reacting quickly to the problem, law enforcement leaders have created mandatory training sessions that were developed to address the salient issues. However, some of these may have done more harm than good. "Ironically the Supreme Court itself created the confusion over the definition of sexual harassment." Seven years ago the Supreme Court ruled that the Civil Rights Act of 1964 protects workers from sexual harassment in that such behavior fosters a "hostile environment." It doesn't matter whether unwanted behavior occurs between supervisors and employees or among the workers themselves. The justices didn't clearly delineate the rules for establishing harm. Some lower courts insisted that women (the majority of claimants) show that the harassment interfered with their job performance, while others demanded measurable psychological injury. The cases are rarely clear cut. (Newsweek 10/25/93 p. 57).

The Equal Employment Opportunity Commission and state agencies reported 5,693 complaints of sexual harassment in 1990 and 10,900 during the first eight months of 1993. This trend indicates more people (most likely women) are reporting cases. The cases vary considerably. Unfortunately, judges find it difficult separating oafish behavior from sexual harassment, and so do many workers.

The law enforcement workplace is by definition a hostile environment. Police are under incredible stress to perform their duties in the fishbowl of public scrutiny. The battle is supposed to be on the outside, instead the problem is created by stress produced within. Pairing officers of the opposite sex to patrol together at all hours, creates a fertile environment for personal relationships or harassment complaints. Jealousy by officer's spouses and accusations of impropriety abound. Although women have held positions in law enforcement for many years, their functions closely followed traditional roles. They dealt with juveniles, investigated rapes, dispatched calls, and typed and filed paper work. Although many women started in uniform patrol, most were quickly ordered into other less demanding roles by male supervisors. Women officers felt pressured to "fit in" to a male-dominated profession. They quickly adopted the language, mannerisms, and attitudes frequently held in esteem by men in the profession. This adaptation allowed women to fit in, but created ambivalent feelings about their identity.

"Fitting in" is essential for survival in the police subculture, where you depend on your partner to protect you in life-threatening situations. Part of the "fitting in" process involves testing the rookie's mettle, in much the same way fraternities initiate new members through hazing. Rookies are taught to keep secrets and keep their mouths shut about what they see and hear "on the job." In fact this behavior is institutionalized in many state codes of ethics, when they encourage keeping a confidence. All of this institutionalized confusion creates problems for men and women in the law enforcement profession. This paper will explore these problems in depth, including the causes and offer suggestions for improvement.

The **Brotherhood** of police formed for many positive reasons, not the slightest of which is self-preservation. Failure to support those who stand between you and immediate injury or death is foolhardy. The concept of brotherhood is not limited to the police profession. It is stressed in the military when soldiers are taught to protect each other. Self-preservation is a basic drive in the family unit. It is also found in the legal, religious, and medical professions. The need to protect certain aspects of a profession from the prying eyes of the public is felt dearly by some of its members.

The major question is, regardless of formal laws, "how welcome are women in the police profession?" For many male officers, women are considered a detriment---a nagging fact of life that has to be examined. Some male officers feel that women are incapable of doing police work. The men feel pressured to protect the women from danger and are concerned that a woman will flee confrontations. This attitude has literally destroyed some women's lives.

Single gender organizations are still prevalent. Fraternities and sororities are common at colleges and universities and many civic organizations are still gender based. Many officers treat the profession like a fraternity. Rules of admission are established and failure to comply will result in the member being ostracized. Rookies are constantly being tested to see if they are able to back up others. If not, they're ostracized and ignored. Male officers who come to the defense of female officers often become targets of criticism by other male officers. Disagreements may be settled by physical challenges. If the senior officers and the department fail to support its female officers, a message is sent to the harassers that this behavior will be allowed and that nothing will happen to them.

During the **training** phase, the female recruit is held to high standards, principals and ideals, and then thrust into the reality of the street. The actual training a recruit gets on

sexual harassment varies from state to state ranging from a high of several hours to nothing at all. Although they are taught the importance of keeping a confidence during academy training, the impact of this rule is not felt until they begin patrol. Fellow officers impress upon them the importance of the "blue wall of silence." It is during this training that the recruits learn the **real ways** of the department. What was taught at the academy is generally maligned by the older, more experienced beat cops. The recruit is taught to listen rather than speak, because to complain and ask questions is seen as a sign of weakness. Because of the need to listen rather speak, police agencies may actually be experiencing more harassment than other municipal agencies.

Police work is not merely a job, it is **lifestyle**. Police officers work together, socialize together and raise their families together. Recruits may trace their desire to be police officers by the influence of other officers in their families. Supervisors recognize these strong ties and thus when a female officer files a complaint for sexual harassment she may be told that the allegation could have a detrimental effect on her career. The supervisor may simply tell the officer it's "no big deal." He may tell the complainant to ignore the lewd comment, touch, or even rape. To pursue such a complaint would bring the department, its supervisors and all others, criticism and scrutiny.

If the officer chooses to go through with the complaint the department may encourage a **cover-up**, formally or informally. Formal hearings take place in departments to review complaints against officers. This administrative process doesn't follow the same rules of evidence as formal courts and may choose not to prosecute because the complaintant is unable to demonstrate evidence of sexual gratification for the defendant. Unfortunately many incidents happen in front of a supervisor who may do nothing, leaving the victim with a feeling of helplessness. Incidents usually happen when supervision is minimal or non-existent. Officers work around the clock and traditionally supervision diminishes after 4:00 p.m. In some departments, officers of equal rank may work together without supervision. A female officer working under these conditions may have to prosecute without witnesses, which raises the question of credibility at the hearing. Also, the victim's personal sexual history may be investigated prior to a hearing. This kind of testimony is not allowed in criminal rape trials but may be used at departmental hearings on sexual harassment. Conflicting testimony and problems of credibility may lead the hearing officers to conclude, "He said one thing, and she said another, who then are we to believe?"

The victim may discover at the **conclusion** of such a hearing that the actual incident was less harmful than the departmental process. Confusion, anger and pain caused by the process may

also take its toll on family and professional life. Many victims of sexual harassment find it difficult to return to work and frequently use sick days as a means of escape.

If the police who promise to protect and serve haven't been able to protect their own, what can a psychologist do? Please note that a psychologist must have actual police experience or work with officers to be accepted by the personnel. Perhaps the most important factor is **recognition** of all the problems associated with living the **lifestyle** of an officer, not just attitudes towards women. It is imperative to **educate** supervisors about the cost of sexual harassment complaints, on the officers, their families, and on the department. Finally **support and advocacy** is necessary for the victims of sexual harassment---even to the point of encouraging legal action against offending agencies. If police departments are to continue providing services they must recognize the importance of maintaining healthy officers in a wholesome environment.